



NATIONAL TRANSPORTATION SAFETY BOARD - **Public Hearing**

Conrail Derailment in Paulsboro, NJ with Vinyl Chloride Release

GROUP	7
EXHIBIT	
Q	

Agency / Organization

CONRAIL

Title

ICS 201, ICS 202 Forms and Notes
Collected During the Emergency Response

The requested ICS 201 and ICS 202 Forms plus any Notes made during the Emergency Response, from Conrail, were not provided to the NTSB.

TIMOTHY TIERNEY

VICE PRESIDENT
CHIEF ENGINEER

August 6, 2013

Mr. Matthew Nicholson
National Transportation Safety Board
490 L'Enfant Plaza East, SW
Washington, DC 20594

Re: *In the matter of the investigation into the derailment of Conrail Freight Train No. FC4230 with hazardous material (vinyl chloride) release in Paulsboro, New Jersey, on November 30, 2012*

Dear Mr. Nicholson:

I am writing to you in place of Neil Ferrone, who is currently on vacation. At the public hearing on July 9 and 10, 2013, the NTSB requested that Conrail supplement the record with two additional exhibits. Specifically, you requested that we provide (1) a copy of the Safety Hotline calls for the two years prior to the derailment and resolution of each, and (2) ICS 201 and 202 forms prepared by Chief Robinson and any notes he prepared during the morning of the emergency response.

Attached you will find copies of the Safety Hotline calls for 2011 and 2012 along with the resolution of each. Unfortunately, despite our efforts, we have been unable to locate the ICS 201 and 202 forms Chief Robinson testified he prepared on the morning of the derailment. We have also been unable to locate any handwritten notes that we can specifically identify as those prepared by Chief Robinson. Thus, we do not have anything to provide NTSB at this point with respect to those items. If we locate any responsive materials, we will provide them to you.

Additionally, you requested that Conrail submit any corrections to the hearing transcript. Enclosed is an errata sheet reflecting the changes that we propose be made to the transcript.

Last, Conrail has decided not to submit any proposed findings of fact or proposed probable cause at this time as it relates to the public hearing. Our understanding is that since Conrail is not only a party to the investigative hearing, but is also a party to the investigation as a whole, Conrail will have the opportunity to respond and provide input as part of the technical review of the factual report that NTSB is drafting. Accordingly, since the investigation is still on-going and all testing has not yet been completed by the NTSB, Conrail reserves its right to submit comments, proposed findings of fact and/or probable cause at a future date. By not submitting proposed findings of fact and probable cause relating to the public hearing, we wish

Mr. Matthew Nicholson
National Transportation Safety Board
August 6, 2013
Page 2

to make clear that Conrail is not waiving its rights to later submit such comments or to file a petition for rehearing under Part 845.41 after the Board completes its final report. If we need to do anything further at this time to preserve those rights, please let me know.

Sincerely,


** PII **

Tim Tierney,
Vice-President and Chief Engineer for
Conrail